REMARKS

The present amendment is in response to the Office Action dated August 16, 2010, where claims 30-43 stand rejected. In the present amendment, no claims have been amended. Accordingly, claims 30-43 are pending in the present application. Reconsideration and allowance of pending claims 30-43 in view of the following remarks are respectfully requested.

A. Rejection of Claims 30-40, 42 and 43 Under 35 USC § 102(e)

Claims 30-40, 42 and 43 stand rejected under 35 U.S.C. 102(e) are rejected over U.S. Patent No. 7,500,198 ("Matthews"). In order to anticipate a claim, the cited reference must disclose each limitation of the claim. For at least the reasons below, Applicant respectfully submits that Matthews fails to anticipate claims 30-40, 42, and 43.

The present application describes, inter alia, systems and methods for publishing a media presentation. Abstract. As described in the specification, in one embodiment, a first device is used to generate the package and then send the media package to a second device. The first device is also be used to select a trigger that determines when the media package should be used at the second device. The trigger and the media package are linked together in an association list that is generated at the first device. Both the package and the association list are then sent to the second device. Para. [0053].

Claim 30 recites, "generating an association list[,] associating said trigger event with said media package in said association list[,] and transmitting …said association list to a wireless communication device[.]" Applicant respectfully submits that the Matthews reference does not disclose the combination of these limitations.

Matthews discloses systems for creating and displaying themes on a mobile device. This is illustrated in FIG. 2 of Matthew, reproduced below:
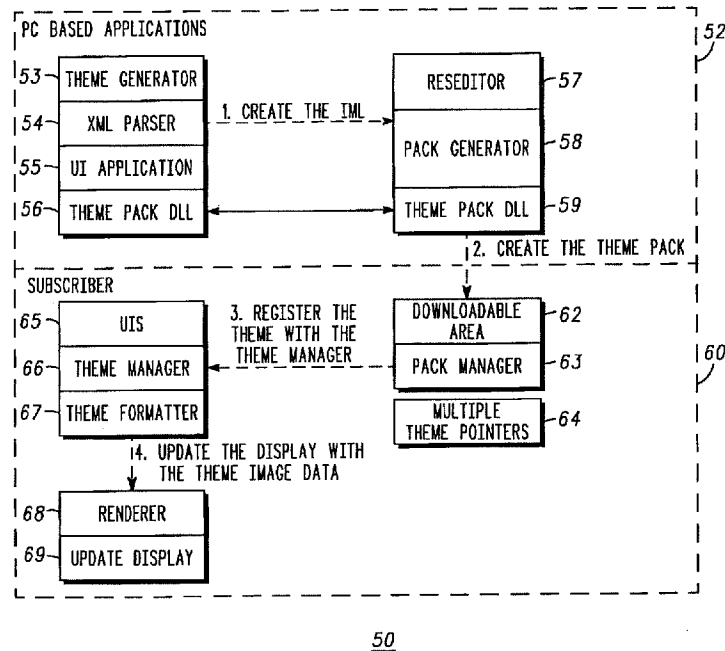

FIG. 2

As shown in FIG. 2 of Matthews, a PC based application is used to generate theme packs that are downloaded to and used by a wireless device. See col. 4, lines 29-44. Matthews does disclose that the mobile device can react to certain events or triggers by updating the display of the device with new themes. Col. 5, lines 47-59. However, Matthews does not disclose the generation and transmission of an association list as recited in claim 30 and described above.

The Office Action cites several passages from the Matthews reference related to the association list limitations identified above. However, these passages fail to teach the identified limitations. In particular, they do not teach generating an association list at a first device and transmitting the association list to a second device. Each of the cited passages is reproduced and discussed below:

Col. 4, lines 19-44

The selection of at least one among the skin and theme types 24 can occur upon an event recognizable by the portable communication device 10 . Although not by any means an exhaustive list, such events can include receipt of a message or call from a recognized caller, detection of a particular user input or user mode such as a call to a particular person, detection of a change in location using GPS or other means (triangulation, base station identifiers, etc.), detection of a particular image by the camera, and a detection of device attachment to the portable communication device.

Referring to FIG. 2, a system 50 having computer based portion 52 and subscriber based portion 60 of applications for changing skins and themes in a subscriber in accordance with the present invention is shown. The computer based portion 52 and the subscriber based portion can also be thought of as non-runtime elements and runtime elements respectively of the system 50 . The computer based portion 52 can include a series of personal computer based applications such as a theme generator 53 , an XML parser 54 , a user interface application 55 and a theme pack dynamic linked list (DLL) portion 56 . The system 50 can also include a resource editor or reseditor 57 , a pack generator 58 and another theme pack DLL portion 59 . The subscriber based portion 60 includes a downloadable area 62 , a pack manager 63 , and theme pointers 64 as well as a user interface service 65 , a theme manager 66 , a theme formatter 67 , a renderer 68 and a display 69 .

This passage discloses, inter alia, that the wireless device can react to events by selecting different themes. It also describes the blocks in FIG. 2. However, it does not disclose how events become associated with themes or whether these associations are transmitted from the PC device to the wireless device.

Col. 5, lines 47-65

Referring to FIG. 4, flow chart illustrating a method **100** in accordance with an embodiment of the present invention of customizing a skin and theme on a display of a portable communication device upon an event is shown. The events that can trigger customization can include an attachment of an accessory **102** , an internal radio event **104** , an FNE related event **106** or any other number of events **108** . Such events can include more specifically detecting an attachment of an accessory to a portable communication device, detecting an idle display, detecting a change in location, detecting a user request, detecting a receipt of a message from a predetermined party, detecting a call from a predetermined party, detecting a broadcast, and detecting a given time of day. The events that can trigger the customization are merely illustrative

and should not be limited by the examples provided. The method **100** can essentially comprise the steps of determining if an event has occurred where the event has an associated skin and theme and if the associated skin and theme exists, updating a display with the associated skin and theme.

This passage describes, inter alia, that certain events can trigger changes to the theme at the wireless device. It provides a list of such events. However, it does not disclose how events become associated with themes or whether these associations are transmitted from the PC device to the wireless device.

Col. 6, lines 23-38

A few concrete illustrative examples of events that can trigger customization can include the attachment of a car kit to a mobile phone which could cause a particular skin and theme having a race car wallpaper or background with larger fonts and midi tones to allow for better user functionality while in a vehicle. In another example, a radio in a idle mode can have a radio palette on a display that is slightly visible and uses less energy to display. Another screen during power up of the radio or during a particular time of day can display a weather forecast with a given skin and theme. In yet another example, a theme park or various vendors at a mall can trigger different skins and themes based on location information (such as GPS data) available to a mobile radio. In another example, a public service phone can have a backsplash based on a broadcast which can indicate a particular security level status (for example, Red, Orange, Yellow, Blue, Green).

This passage describes, inter alia, several specific examples of events that can trigger the use of particular themes. However, it does not disclose how events become associated with themes or whether these associations are transmitted from the PC device to the wireless device.

Col. 4, lines 54-59

The reseditor **57** in conjunction with the pack generator **58** and DLL portions **56** and **57** essentially create a theme pack that is typically downloaded using a pack manager **63** to a downloadable area **62** in the subscriber unit during power up of the portable communication device or subscriber.

This passage describes, inter alia, that the theme packs are downloaded to a mobile device. It does not disclose that an association list is also downloaded from the PC device to the wireless mobile device.

Col. 5, line 66 – col. 6, line 22

> In a more specific embodiment a radio can receive an event (102 , 104 , 106 , or 108) at step 110 where a skins and themes status list is updated at step 112 . At decision block 114 , the method can determine if the updated skin and theme is of a higher priority than a current skin and theme. If not, then the current skin and theme is displayed at step 116 . If the updated or new skin and theme is of a higher priority, then it is determined is an associated skin and theme is available at decision block 118 . If available, the display is updated with the new skin and theme at step 124 . Alternatively, if the associated skin and theme is unavailable at decision block 118 , then it can be determined at decision block 120 whether the new skin and theme should be automatically downloaded based on user settings. If the automatic downloading is desired at decision block 120 , then the new skin and theme is downloaded at step 126 and the display is updated at step 124 . If the automatic downloading is not desired at decision block 120 , then the user can alternatively be prompted on whether they want a download at decision block 122 . If the user does not want to download the new skin and theme, then the current skin and theme will be displayed at step 116 . If the user does want to download the new skin and theme at decision block 122 , then the new skin and them is downloaded at step 126 and the display is updated at step 124 .

This passage describes, inter alia, the way in which the mobile device responds to triggering events, e.g., by updating the theme. However, it does not describe how the events became associated with the themes or whether these associations are transmitted to the wireless device.

Col. 6, line 64 – col. 7, line 3

> As previously explained above, the theme manager can also respond to events and activate a theme already present in the phone or ask the user to download a particular type of theme. Thus, the method 150 packs data for multiple screen types and deciphers the theme pack for multiple phone screen types. The method further enables the activation of a theme in response to events and updates a screen dynamically.

This passage describes, inter alia, additional ways in which the mobile device can respond to certain events, e.g., asking the user to download additional themes. However, it does not describe how the events became associated with the themes or whether these associations are transmitted to the wireless device.

As described above, none of the cited passages of the Matthews reference disclose the combination of generating an association list and transmitting the association list to a wireless device. Indeed, while Matthews discloses several types of trigger events and how they are responded to, Mathews fails to disclose the details of the process by which particular themes are associated with particular events. One skilled in the art would understand Mathews as teaching that the associations are selected by a user at the wireless device. Nowhere does Mathews disclose or even suggest that its events are associated with its themes at a first device and then an association list of trigger events and themes are sent to a second device.

For at least these reasons, Applicant respectfully submits that Matthews fails to disclose each limitation of claim 30. As claims 31-40, 42 and 43 are dependent from claim 30, Applicant respectfully submits that these claims are likewise allowable over the Matthews reference. Thus, Applicant believes that claims 30-40, 42 and 43 are presently in condition for allowance.

B.　Rejection of Claim 41 Under 35 USC § 103(a)

Claim 41 stands rejected under 35 U.S.C. 103(a) is rejected over Matthews in view of U.S. Patent No. 6,323,775 ("Hansson"). Claim 41 depends from claim 30. As described above, Matthews fails to disclose each limitation of claim 30. Hansson, is cited for its disclosure that an "event may be a low battery condition." The cited portions
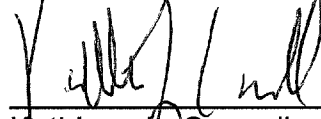
do not teach or suggest the association lists limitations identified above. For at least these reasons, Applicant respectfully submits that claim 41 is allowable over the cited references.

CONCLUSION

For all the foregoing reasons, allowance of claims 30-43 pending in the present application is respectfully requested. If necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted,

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